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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/821,314	04/09/2004	William J. Rex	REXIN-012A	9697
7663	7590	06/21/2005	EXAMINER	
STETINA BRUNDA GARRED & BRUCKER 75 ENTERPRISE, SUITE 250 ALISO VIEJO, CA 92656			COLETTA, LORI L	
			ART UNIT	PAPER NUMBER

3612

DATE MAILED: 06/21/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/821,314

Applicant(s)

REX, WILLIAM J.

Examiner

Lori L. Coletta

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 09 April 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 09 April 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 05022005.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

**DETAILED ACTION**

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

2. Claims 1-3, 5, 6, 10-13, 15 and 20 are rejected under 35 U.S.C. 102(a) as being anticipated by Crean 6,637,804.

Regarding claim 1, Crean '804 discloses a recreational vehicle comprising a chassis; a cab and a back wall attached to the chassis; a first side wall at least partially defined by portions of the cab and back wall; and at least one slide out moveably attached to the chassis and extending from the cab to the back wall; the slide out defining an outer wall; the slide out being selectively moveable between a retracted position whereat the outer wall is substantially flush with the first side wall, and an extended position whereat the outer wall projects outwardly from the first side wall.

Regarding claim 2, Crean '804 discloses the recreational vehicle wherein first and second side walls disposed relation to each other are at least partially defined by portions of the cab and the back wall; a pair of slide outs which each define an outer wall are moveably attached to the chassis in opposed relation to each other and extend from the cab to the back wall; and the slide outs are selectively moveable between a retracted position whereat the outer walls thereof are substantially flush with respective ones of the first and seconds side walls, and an extended

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position whereat the outer walls thereof protrude outwardly from respective ones of the first and second side walls.

Regarding claim 3, Crean '804 discloses the recreational vehicle further comprising a slide out actuation mechanism attached to the chassis and cooperatively engaged to each of the slide outs; the slide out actuation mechanism being operative to move the slide outs between the extended and retracted position.

Regarding claim 5, Crean '804 discloses the recreational vehicle wherein the recreational vehicle further comprises an interior floor; each of the slide outs comprises an interior floor; a portion of the interior floor is exposed between the floor portions when the slide out are moved to the extended position; and the interior floor includes a floor section which is moveably mounted to the chaise and selectively moveable between a retracted position and an elevated position between the floor portions of the slide outs; the floor section being moveable to the elevated position when the slide outs are in the extended position, the floor section and floor portions of the slide outs collectively defining a generally planar floor surface when the floor section is in the elevated position.

Regarding claim 6, Crean '804 discloses the recreational vehicle further comprising a floor actuation mechanism attached to the chassis and cooperatively engaged to the floor section, the floor actuation mechanism being operative to move the floor sections between the retracted and elevated positions.

Regarding claim 10, Crean '804 discloses the recreational vehicle wherein each of the slide outs comprises a modular, pre-fabricated unit.

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Regarding claim 11, Crean '804 discloses the recreational vehicle wherein the recreational vehicle further comprises a roof, which extends between the chassis and the back wall; and the first and second sidewalls are at least partially defined by portions of the cab, the back wall, and the roof.

Regarding claim 12, Crean '804 discloses in a recreational vehicle comprising a chassis, a cab and a back wall mounted to the chassis, and opposed first and second side walls at least partially defined by portions of the cab, the improvement comprising a pair of slide outs moveably attached to the chassis and extending from the cab to the back wall, each of the slide outs defining an outer wall and being selectively moveable between a retracted position whereat the outer walls are substantially flush with respective ones of the first and second side walls, and an extended position whereat the outer walls protrude outwardly from respective ones of the first and second side walls.

Regarding claim 13, Crean '804 discloses the recreational vehicle further comprising a slide out actuation mechanism attached to the chassis and cooperatively engaged to each of the slide outs, the slide out actuation mechanism being operative to move the slide outs between the extended and retracted positions.

Regarding claim 15, Crean '804 discloses the recreational vehicle wherein the recreational vehicle further comprises an interior floor; each of the slide outs comprises a floor portion; a portion of the interior floor includes a floor section which is moveably mounted to the chassis and selectively moveable between a retracted position and an elevated position between the floor portions of the slide outs, the floor section being moveable to the elevated position when the slide outs are in the extended position, the floor section and the floor portions of the

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slide outs collectively defining a generally planar floor surface when the floor section is in the elevated position.

Regarding claim 20, Crean '804 discloses the recreational vehicle wherein each of the slide outs comprises a modular, pre-fabricated unit.

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 4, 7, 8, 14, 17 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Crean 6,637,804 in view of Futrell et al. 5,785,373.

Regarding claims 4 and 14, Crean '804 discloses the recreational vehicle but does not show the slide out actuation mechanism comprises a plurality of linear actuators attached to the chassis in spaced relation to each other.

Futrell et al. '373 teach a slide out actuation mechanism comprises a plurality of linear actuators attached to the chassis in spaced relation to each other.

Regarding claims 4 and 14, it would have been obvious to one having ordinary skill in the art at the time the invention was made to make the slide out of the recreational vehicle of Crean '804 with a plurality of linear actuators attached to the chassis in spaced relation to each other, as taught by Futrell et al. '373, in order to provide a power mechanism to move the slide out between its extended and retracted positions.

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Regarding claims 7 and 17, Crean '804 discloses the recreational vehicle but does not show the floor actuation mechanism comprises a plurality of linear actuator attached to the chassis in spaced relations to each other.

Futrell et al. '373 teach a floor actuation mechanism comprises a plurality of linear actuators attached to the chassis in spaced relation to each other.

Regarding claims 7 and 17, it would have been obvious to one having ordinary skill in the art at the time the invention was made to make the slide out of the recreational vehicle of Crean '804 with a floor actuation mechanism plurality of linear actuators attached to the chassis in spaced relation to each other, as taught by Futrell et al. '373, in order to provide a power mechanism to move the floor between its extended and retracted positions.

Regarding claims 8 and 18, Crean '804 discloses the recreational vehicle but does not further comprising at least one retention mechanism cooperatively engageable to the floor section and to the floor portion of each of the slide outs, the retention mechanism being operatively to secure the floor section in the elevated position.

Futrell et al. '373 teaches at least one retention mechanism cooperatively engageable to the floor section and to the floor portion of each of the slide outs, the retention mechanism being operatively to secure the floor section in the elevated position.

Regarding claims 8 and 18, it would have been obvious to one having ordinary skill in the art at the time the invention was made to make the slide out of the recreational vehicle of Crean '804 with at least one retention mechanism cooperatively engageable to the floor section and to the floor portion of each of the slide outs, as taught by Futrell et al. '373, in order to secure the floor section in the elevated position.

*Claim Rejections - 35 USC § 103*

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 9 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Crean 6,637,804 in view of McManus 2002/0057000.

Regarding claims 9 and 19, Crean '804 discloses the recreational vehicle but does not show a sensor system operative to selectively prevent the movement of the slide outs to the retracted position subsequent to the movement of the floor section to the retracted position.

McManus '000 teaches a sensor system operative to selectively prevent the movement of the slide outs to the retracted position subsequent to the movement of the floor section to the retracted position.

Regarding claims 9 and 19, it would have been obvious to one having ordinary skill in the art at the time the invention was made to make the slide out of the recreational vehicle of Crean '804 with a sensor system operative to selectively prevent the movement of the slide outs to the retracted position subsequent to the movement of the floor section to the retracted position, as taught by McManus '000, in order to ensure that the slide out and the floor section move together.



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7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

The cited references show several other recreational vehicles similar to that of the current invention.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lori L. Coletta whose telephone number is 571-272-6658.

The examiner can normally be reached on Monday-Friday 7:30am-4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenn Dayoan can be reached on 571-272-6659. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

*Lori L. Coletta*

Lori L. Coletta  
Primary Examiner  
Art Unit 3612

llc  
June 13, 2004